

**HAMILTON COUNTY BOARD OF AVIATION COMMISSIONERS**  
**AUGUST 3, 2006**

The Hamilton County Board of Aviation Commissioners met on Thursday, August 3, 2006 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana.

Secretary Kim Rauch took Roll Call and declared a quorum present of Tom Kapostasy, Tim Tolson, Don Silvey and Ted Moran. Art Johnson was absent.

**Approval of Minutes**

Tolson motioned to approve the minutes of July 6, 2006. Silvey seconded. Motion carried unanimously.

**Public Comments**

Mike Zeller, 4321 W. 166<sup>th</sup> Street, Westfield, thanked the Board for continuing to solicit and respond to public comments. Zeller stated he understands that Mr. Andreoli attended a recent meeting requesting support from the Board for rezoning of industrial property south of the airport. Zeller read the following: "I noted in the minutes of a previous Board meeting that you are considering making a statement regarding the potential rezoning of the Caito property on CR 200 South from Agricultural to Industrial use. I strongly disagree with the possibility that the Indianapolis Executive Airport operator or the Board of Aviation should in any way support this rezoning. The current zoning of this property and the allowable uses are perfectly compatible with airport operations. For the airport to support in any way the rezoning to a different use would be inappropriate. From a broader perspective, I feel all airport representatives have a duty to speak in the broader interest of the airport owners, the residents of Hamilton County. The Washington Township residents and officials have recently developed a draft master plan which specifically locates industrial uses along the SR 32 corridor, not in the Little Eagle Creek area adjacent to the southern end of the airport property. To support setting an industrial use precedent in this area would be contrary to this master plan and not in the best interest of the airport owners. "

Kapostasy asked if he is speaking as a public citizen or as a representative of a larger group? Zeller stated as a public citizen only. Kapostasy asked what stage is Washington Township in, in terms of zoning or master planning? Our experience in the past that the interest of making serious progress has been low. When this Board has requested progress we have not been met with a warm response. Zeller stated they have made it clear that there is no zoning imminent. There has been a draft master plan has been published and is being reviewed at various levels. There has been no official action. Kapostasy asked what is the opposition of light industrial being to the south of the airport? Zeller stated he is not saying the Board should be against the zoning, he is saying the Board should be in favor of the current zoning. The concerns are traffic, there would be about 300 additional vehicles each morning on 1200 East, about 800 entries into the industrial park. It would be much better to focus that kind of industrial area immediately on the SR 32 corridor or the 421 corridor.

**Marketing Plan**

Clarie Deselle, Tailored Tactics, stated they have been working on the content and design for the web site. It is available for review by the Board. They have also designed the brochure and the cost benefit worksheet. All of these items will be discussed with the President on August 10<sup>th</sup>. Kapostasy asked Deselle to provide the password to Kim Rauch for the web site for distribution to the Board for review. Tolson stated Claire will

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contact Hamilton County's information services department to discuss the link to the county web site.

Tolson stated the Hamilton County Convention and Visitors Bureau has given us a grant of \$20,000 to employ Tailored Tactics. The web site was \$8,000 with \$6,000 for brochures, worksheet and inbound focused activities. Tolson stated he will be requesting another grant from the HCCVB for continued marketing.

**President's Report**

2007 Budget Presentation

Kapostasy stated he will be presenting the 2007 Budget to the Hamilton County Council on August 16, 2006 at 1:45 p.m.

Additional Appropriation

The county council did approve the additional appropriations of \$35,000 for the Airport Capital Fund and \$400,000 from the TIF Fund for the Airport Revolving Fund.

Public Advisory Committee

The Public Advisory Committee (PAC) for the Master Plan, Phase 2 will meet August 11, 2006 from 8:00 -11:00 a.m. at the airport.

**Committee Reports**

Community and Public Relations

Tolson and Kapostasy have been working with the HCCVB for additional funding. The HCCVB has a capital fund for projects that promote tourism and there may be an opportunity for the airport to apply for monies. Silvey motioned to authorize Tolson to work with the HCCVB for a capital project grant. Moran seconded. Motion carried unanimously.

**Indianapolis Executive Airport Report**

Andie Montgomery stated business is still suffering from high fuel prices. Jet-A sales are steady, low leads are suffering. Montgomery gave an overview of the second quarter report.

- Income is \$78,000 which is 78% of forecast. This figure does not include farm income.
  - Flow fees were \$24,762 for the period and \$52,475 YTD.
  - Hangar rents and land rent were ahead at 59% of forecast.
  - Expenses are at 50% of forecast. Expenses include the fuel farm inspection and repairs.
  - Have used \$5,544 of the miscellaneous fund with a balance of \$4,456 unused.
  - The second quarter payment has been made to the county.
  - Cash balance is \$11,587.
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- Security Cameras are up. There are a few bugs to work out.
  - Montgomery Aviation is partnering with ISU and AAI for a state wide education program. 34 teachers are registered to attend.

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- Montgomery Aviation would like to have another function in August or September. IEA will be celebrating its 50<sup>th</sup> Birthday next year and we need to be thinking about how we want to celebrate it.
- A "learn to fly" seminar will be presented August 8<sup>th</sup> by Cessna.
- The insurance policy has been renewed and Andie will provide the Certificate of Insurance at the next meeting.

Kapostasy asked if the Community and Public Relations Committee should work with her on the 50<sup>th</sup> Anniversary? Montgomery stated yes.

Kapostasy asked if she still needs to meet with Tim regarding marketing ideas? Montgomery stated yes.

Kapostasy asked what the status of the web sites? Carl Winkler stated we have IndyExecAirport.com. IndyExec.com is still not owned by us but it should expire this year. We have bought all of the other extensions. Darren Murphy asked if Rick Branch owns IndyExec? Winkler stated yes. Murphy asked if anyone has made contact with Mr. Branch? Winkler stated yes, they are not using the site but they have not given it up. Murphy will contact Mr. Branch.

Localizer

Dan Montgomery stated the FAA did a test on the localizer and it failed. Mr. Weber, Michiana Contracting, will be looking at it this weekend. If it is an antenna change, Michiana can not change out the antenna, a company from Denver will have to change it. Estimated costs for replacement of the antenna would be \$20,000+. Chris Snyder stated the Glideslope project includes a new building and part of the specifications states they have to put the Glideslope back together and make sure it works properly. If we can identify a upgrade or replacement that we could submit for grant reimbursement. It would depend on how much discretionary funding we will receive.

INDOT Warning

Dan stated someone is sending out forged FAA documents requesting banking information. INDOT is warning all of the airports of this fraudulent request. Murphy reviewed the request and advised that this information does not have to be released.

Sullivan Corporation

Craig Cassity, Sullivan Corporation, asked what they need to do regarding the outstanding bond issue on the concrete? Silvey stated based on the actions during construction where there was activity on concrete that they were supposed to stay off of for seven days, the Board has asked for a Performance Bond on the concrete to insure if there was damage it would be protected. Cassity asked how should the bond read? Silvey stated if there is any failure of the concrete that the bond would cover its replacement. Snyder stated Mike Howard's specifications also listed a time frame of the length of the bond, he believes it is 5 years. The bond would cover any conditional failure of the concrete. Sullivan will not be responsible for the sub-grade conditions, the stone base but the concrete itself was curing. That was the concern of the Board. Cassity asked if we know it did not meet strength? Snyder stated with concrete there is a curing period and we don't know the actual strength unless it is cored at the exact time. When we opened the concrete at seven days it was at strength to allow any vehicle on the concrete. The assumption is that it had not properly cured to the FAA approved design strength for such type of traffic. The concern is that something will

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happen with the first five years. Cassity asked how much concrete? Snyder stated the whole lane of paving that was put down that day. We have a Board member that saw trucks parked all along that pavement that day and we have pictures. Snyder can provide the quantity. It will be for the lane in front of the hangar. Silvey stated we are not talking about one spot, it is the entire length. Snyder stated it would be from the end of the hangar door to the end of the hangar door. Cassity asked if they are bonding the cracking, the top part, everything that could possibly go wrong? Would it cover total replacement? Snyder stated it is up to full replacement, the owner can make determination based on the type of failure or cracking that is occurring. The Board reserves the right to make that decision. Cassity asked if it was at strength at the seven days? Snyder stated yes. Kapostasy asked if Cassity is not receiving the information you need, we took this up 90 days ago and it was pretty clear what we were looking for. It was relayed to us that in order for Sullivan to continue with construction had informally agreed to this. Is there something we need to know as a Board to help with communication? Cassity stated he has read all of the reports. There was some information that was unclear to him. When you are talking about concrete it is very difficult to warrant it against cracking. All concrete cracks, he wanted to be clear of what the Board was asking them to do. We have no contractual obligation or ties to this installation. If it is fair and reasonable request they want to step up. He has seen a compaction test but not a recompaction test. Snyder stated all FAA pavement is designed to a 20 year life. When pavements receive a 20 year life there is discussion if the pavement has actually failed. There are concrete pavements that have gone 40 years without any problems. If you talk about a 20 year pavement life, we are asking for the five year, initial part of its life. Concrete does crack, but not usually within the first five years. Snyder encouraged Cassity to read the letter regarding the recompaction tests and verification tests. If it is a sub-grade condition failure Sullivan would not be responsible.

Localizer

Kapostasy asked Rauch if the balance in the capital fund includes the second quarter payment from the operator? Rauch stated yes, the balance would have to be appropriated. Mike Evans stated it is possible to get emergency funding and Woolpert will look at that tomorrow. Kapostasy asked if the request for the appropriation should be made? Rauch stated yes, it would be for the September meeting. A new system would be at least \$100,000. Brad Beaver stated the Council meets the August 15 & 16 for budget hearings. If you need \$20,000 to \$30,000 immediately that can be requested during the hearings. Silvey motioned to approve a request for an additional appropriation up to \$30,000 for emergency repair of the localizer and electrical equipment. Moran seconded. Motion carried unanimously. Kapostasy instructed Dan to proceed with getting the repair done.

Master Drainage Plan

Snyder stated he spoke with the Boone County Surveyor who indicated that he was surprised we had not heard from Christopher Burke, Inc. and he was going to contact them today. Snyder had not heard back from the Boone County Surveyor.

Traffic Count

Kapostasy asked if the state's traffic count has been completed? Dan stated they have 1,700 take-offs in 32 days. We have not received a final report.

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Moran stated he visited the control tower at Indianapolis International Airport. He asked them to look at the traffic at satellite airports. Every Friday, except one, IEA had more instrument traffic than the other satellite airports. This is indicative of what we are doing at IEA in regards to instrument traffic.

**Engineer's Report**

Runway Length

Snyder stated at the previous meetings there have been discussions regarding the runway length, master plan and the Andreoli property and how they affect one another. Snyder stated the Capital Improvement Program (CIP) is put together by Woolpert on behalf of the Board. It is prepared in November or December of each year. Snyder gave an overview of the CIP submitted for 2006. Mike Howard asked that the runway extension of 1,500' be added to this list to see what its impact would be. The local projects are listed at the end of the list but the projects will go when the funds are determined necessary or when the project has to go. The CIP projects go based on available funding. Reconstruction of the runway is planned for 2010 at a cost of \$4 million. For a runway extension project several things have to happen. The first is an airport master plan. The FAA would not approve any runway extension project if it is identified on the AIP and Master Plan and making sure it is identified as a critical project for the airport. The airport master plan is broken out in three phases. We are requesting a discretionary amount of \$200,000 to go forward with the master plan. It will take a certain amount of time to have the plan approved by the FAA. Once it is approved, especially the airport layout, the plans have to be approved by the FAA. Right now we anticipate the airport master plan to be finished by the beginning of 2008. This is contingent on the discretionary money from the FAA. Once the master plan is completed land acquisition is necessary to the south and an environmental assessment will be needed. The environmental will take some time. Right now the master plan has to be finished or submitted to the FAA before an environmental assessment can begin. The environmental assessment could take 1-2 years, worst case scenario. Once the FAA has approved the environmental assessment they would approve the runway extension construction. This would be approximately 2009-2010. Once the runway extension construction begins there is a question of how the funding has to happen. Currently the runway extension project is not in the CIP program. When we submit the program to the State they like to see new programs implemented into the five year lag time. A question has been asked if there is a way to expedite the process? With the proper negotiation and discussions with the State and FAA there are different ways to acquire those funds. This is a delicate process and does take time.

Moran asked if it is possible to use the environmental assessment we are using for the partial parallel taxiway completion? Snyder stated pieces of it are possible to use. The assessment is for the whole airport but there are certain projects deemed by the FAA that require an automatic environmental assessment. The runway extension itself may not dictate an environmental assessment; the FAA has said if you move a Glideslope you are required to do an environmental assessment. Silvey asked if we can extend the runway without moving the Glideslope? Snyder stated yes you could but it would not be a good use of the resources. You would get a nice overall length, the intention is to be precise and to provide aircraft with precision approaches. Moran asked if it is requirement that the Glideslope be located within 1,000' of the end of the runway? Snyder stated it has to be within 1,000'. Creakbaum stated they are trying to develop WAAS (Wide Area Augmentation System) approaches to the airport, which is a precision

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approach. If the equipment comes along to make the ground correction to get down to 2.5 then we could extend the runway without the Glideslope. Which comes first we don't know. The federal government will probably put it in Indianapolis and IEA will bleed off of it. It depends if we have precision approach instead of WAAS. If it comes before we extend the runway we will not use the Glideslope, if it comes after we extend the runway we will use the Glideslope. Snyder stated a LAAS (Local Area Augmentation System) or WAAS approach would be of interest to investigate. With these types of systems multiple airports can use their capabilities at times, depending on how they are set up. The FAA has made an initiative, because of the cost savings and value of using them with different airports, that there is an incentive to install them. They have begun a list of airports that they want to give airports LAAS. A MALSR (Medium-Intensity Approach Lighting System with Runway Alignment Indicator) System costs a lot more. The FAA sees a better investment for their dollar if they install WAAS systems. Kapostasy stated our question was what length of runway do we need and can we work off of the existing master plan supposition for our actions or work through the revised master plan? We want to know if we need to pursue this immediately as we look at property south of the airport.

Snyder stated there are a lot factors that go into looking at a runway extension: elevation of airport, temperature, type of aircraft and payload capacity. The FAA has an advisory circular that has identified three categories and set the categories up for zero wind conditions, zero gradient changes, the perfect condition scenario. If you are 12,500 lbs or less, 60,000 lbs or less, or over 60,000 lbs. IEA is designed for 100,000 lb aircraft. There are aircraft that come in that are heavier and it is permitted under the right kind of conditions. We have to make a determination of what fits best for this airport. They have looked at the category for turbo jet and turbo prop which is 60,000 lbs or less. The FAA took a fleet of aircraft less than 60,000 lbs and grouped them. The FAA grouped them in the 75% fleet and then another 25% fleet have more of an impact than the 75% fleet. The FAA then discussed useful payload (passengers, cargo, and useable fuel). Since the FAA chart only covers perfect conditions they have said to add 15% for wind or snow conditions that would make it difficult to land or take-off. Woolpert charted the runway extension that would be necessary for the different types of aircraft, for IEA specifically. The first runway is the 75% fleet at 60% of useful load which came to a runway length of 5,000'. The 100% fleet at 60% useful load came to 5,500' runway, which is what is currently configured. For the 15% margin you would need an additional 825' which makes a 6,325' runway. The 90% useful load at 75% fleet the runway extension would need to be 6,500' with the additional 15% margin for a total of 7,475'. For 100% fleet at 90% load would need a runway extension of 8,500' with an additional 15% margin for a total 9,700', which would be past CR 200S. We did not discuss aircraft over 60,000 lbs. Dan is getting Woolpert a list of aircraft that use the airport. If you have 75% of the fleet at 90% of the load, the number would be 7,475'. There are other methods that you can take with the caution of the 15% margin which are still being determined by the FAA. Snyder stated the good number is around 7,000'. Snyder stated a runway of 7,000' would be the third longest runway in Indianapolis.

Kapostasy stated the 7,000' that is currently in the master plan is what we should assume we should try to make happen in the future, until Woolpert finishes detailed analysis and the master plan is complete. Moran asked what about transient aircraft? Snyder stated this was about the existing aircraft that use the airfield.

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Snyder discussed the Caito property and its impact, especially on a precision approach using the MALSR equipment. Snyder stated they have laid out a 1,500' extension to CR 200 South and then proposed a MALSR lighting system that gets extended from the runway extension. Snyder stated the first thing Woolpert wanted to identify with this property is where the runway fell and identify the obstruction clearances. The approach would be suitable as well as the equipment being used otherwise we lose the minimums then it becomes unusable and we have lost the whole purpose of the intent of the project. Snyder took from the existing runway elevation and dropped it. They put on a .4% grading, flattened out the earthwork for 200' and began the 50 to 1 approach slope for a precision system, meaning anything can not obstruct that in the approach slope. We then identified the building locations that Caito has proposed and made a recommendation for an elevation that we would ask that it be cleared from. We came up with an elevation past the RPZ (Runway Protection Zone), which is part of the approach slope. If buildings stay out of the RPZ the maximum building elevation that would be allowed would be approximately 961'. The next obstruction clearance that we were staying out of was part of the MALSR system. In order for it operate and pilots to see it as clear as possible. The first part, the approach light plane, can not have any obstructions which is on the airport's property. At the last MALSR bar there is a primary and secondary plane that begins. From that bar height there has to be a 50 to 1 clearance but it only extends to the end of the RPZ. As long as the lights are placed above any obstruction we would be ok. CR 200 S would be an obstruction. The Caito development shows a roadway going to a parking lot, which is another consideration. If someone would park there we would need the same 17' minimum clearance. There is a line of sight requirement that goes 1,600' out from the last rail light. It is required to be visible, all lights have to be visible 1,600' from this last light and it has to be based on the Glideslope path. Those areas have been identified to Caito. Once we get past the first part of the development we are clear for the line of sight. The FAA makes the determination of what they consider a hazard. They don't want to place a hospital or church in an RPZ. They have let warehouses in but the FAA makes the recommendation. Woolpert's recommendation is to not have any buildings in that RPZ. 22 acres have been required for the RPZ. There are a few acres of potentially unusable land that Caito would lose because he can't develop it because we basically took the frontage property. There are a lot of factors that go into the MALSR system and it is very touchy. We have explained that to developers as carefully as we can. Caito realizes the first design they gave us was not sufficient and they would have to stay under the recommended building height and clear of all of the clearances. This is based on the 7,000' runway with a 1,500' extension. Mike Evans stated there were discussions of possible legal language and alternatives to controlled activity in terms of out right fee purchase. Snyder stated there have been basic discussions about how the controlled activity would be written and potentially the obstruction clearance requirement would be for the line of sight. One thing that was discussed was to let Andreoli look at the information and then the Board and attorney would make a determination if it is better for the airport to purchase the property or come up with a controlled activity easement. A controlled activity easement is basically the same as purchasing the land, he has lost the value of it and you are not allowing them to put any structure that is usable for them except for the parking lot.

Kapostasy summarized that in order to make sure we can have a 7,000' runway we need to acquire either in fee simple or controlled activity the 24 acres that are in the frontage of this property and we need to negotiate an agreement with the owners to not have buildings above 961' within the 250' on either side of the centerline. Snyder stated

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he would add the line of sight obstruction clearance that would be beyond the RPZ. Moran stated we can't have unfocused lights in regards to parking lots or buildings. They would have to have some kind of a shield and pointed downward. The lights can not be in the pilots eyes. Snyder stated Andreoli has addressed this issue.

Kapostasy asked the Board if we feel we are in the position to go to the Council to request the \$500,000-\$600,000 to say this is imminent and now is the time to acquire it or do we say it will take a while to finish this. Moran asked about the fee for the work Woolpert has done on this. Snyder asked if the CAD work could be billed under the general services contract? Moran stated in the future if someone comes to us with a project like Caito's we will tell them they have to meet all zoning requirements and FAA requirements and then the Board will talk with them. Silvey asked if we need to come up with our own version of what Boone County is doing with the drainage master plan? Right now we are paying Boone County's consultant to review our master plan. Snyder stated a lot of counties are going in that direction. Kapostasy stated he does not see this as being requested by the property owners, it was requested by the Board to understand these issues of if the 7,000' runway is appropriate at this time for decision making and what are the restrictions assuming there is a 7,000' runway. To do everything on this page except for the sketch of their building is something we would need to have. This is something we would need to have in the master plan in order to outline what the runway protection zone really is. Kapostasy stated from his point of view we requested this. In the future if someone wants this information they would be welcome to talk with our engineers at their expense. Snyder stated a lot of this information will have to be incorporated into the master plan and AOP documents.

Kapostasy asked if the Board is ready to request funding for this? Snyder stated from what they understand regarding the Caito property there are several issues Mr. Andreoli has to come up with a plan to solve. There are other hurdles he will have to make besides the airport requirements. He knows he is one to two years out trying to fix things before the property can be developed. It would be in the best interest to negotiate the terms, making sure they know what the requirements and terms are and can be met and then make a determination in the next six months to a year. If it is the desire of this Board to go to 7,000', which in the last three months has been an initiative then the Board should strongly consider it because once you have control of that property you will have all rights to it. Moran asked if he is speaking of acquisition of the property? Snyder stated yes, beginning acquisition of the property. Creakbaum stated you have \$22 million and as a board you are appointed to make a decision of what to fund first. You have a lot of projects ahead and this land is just one of them and you need to decide which is the most important to the county and the airport. Kapostasy stated to move forward on the terms of these four areas would be a benefit to the airport and to ask our legal counsel to begin that. We might instruct him to negotiate that based upon funding after they have final plat approval that way the county does not have to write the check until there is a deal to be done. Kapostasy stated there are other \$600,000 items that we would like to buy, other than land. Silvey stated he thinks we are pre-mature and would be reluctant to go to Council at this point. We need for Council to be aware, but until we are sure the Caito property will develop the way they think he would have to waste the money and then have it die. Moran stated it does not make any difference; we will ultimately need that acreage. Based on what Woolpert is saying we should proceed. Tolson stated in order to be a functional airport he agrees with Ted, we need to do everything we can to protect our future options. He has seen the City of Carmel striving to get park land before it disappeared and now they finally have the ability to develop the



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parks. Snyder stated if the deal does not go through the property owner can make a determination of what to do with the property and they could sell it to anybody. Kapostasy stated we have indications from them that they are open to negotiations other than the option of condemnation. Silvey stated we all agree we want the property it is a matter of timing and when there is money. Andie Montgomery stated the current Boone County Commissioners drew a line in the sand, the new Commissioners have already said they will do everything they can to wipe that line away. Beaver stated Mr. Howard already promised the Boone County Commissioners that you were not going to extend the runway without going back to the commissioners to ask them. That was part of the negotiation when we purchased the airport. We will need 7,000' in the future, we need control of the land at the end of the runway and maybe \$500,000 would get it done. You really don't need land ownership you need land control. In our ongoing master planning process, Phase 2 will get us to a point of how do we make a determination of what is a sphere of influence, which we will get to that this year. At that point it would be reasonable to go to the Boone County Commissioners and this is what our master plan has determined this is what we need to secure the airport. At that point they can agree or disagree. Then it is our choice to adopt our own zoning, which we have every right to do. Beaver stated in his opinion we would rather have Boone County do it and then we would control our own destiny around the airport. His last choice would be to go to Council to ask for money to buy the land. Our best case is that it stays the zoning it is today. It is the rezones that Mr. Andreoli is asking for is what causes us problems. The best thing is to control our zoning. We don't have enough money to buy all of the land, we have to control the zoning. We should let the master planning process work, go to Boone County this year with our plans and ask for the overlay district and then if they don't do it we go ahead on our own. Beaver stated he is willing to fight that court battle. Beaver stated he is not sure how the vote would go if you start asking for \$500,000 to buy land. Creakbaum cautioned the Board that if they want reimbursement they have to buy the land according to FAA guidelines. You can not buy land for a runway extension without an environmental assessment, but you can buy land to protect the approaches to the existing runway which for protection is considered twice the RPZ length. No motion was made.

**AIP-11**

The final Pay Request has been submitted to the FAA with the 15% grant amendment. The grant is closed.

**AIP-12**

Snyder stated a 15% amendment was requested on AIP-12 and was granted. The total costs, including the Gradex punch list from the Runway Safety Area improvements and wetland construction requirements. That leaves \$10,401.00 of FAA funds remaining, based on the 15%. Nothing is designated for these monies.

Relocate Glideslope and Runway Safety Area Grading

Snyder stated we will not get reimbursed on the 15% amendment amount until the grant is closed and we make the final pay request. Under AIP-12 there is \$106,369.00 available for reimbursement. Gradex submitted invoice #5 in the amount of \$120,659.40 which includes Change Order #1, which was approved and completed. Gradex also submitted invoice #6 in the amount of \$69,476.40, which is the retainage on the project. There is some work remaining on Change Order #2. Woolpert has submitted an invoice for \$3,383.50 for environmental and administration work for the RSA project. Woolpert

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also submitted an invoice for \$28,700 for design of the Master Drainage Plan. The \$28,700 does not impact the \$106,369.00. At the last meeting the payment to Woolpert was not approved but the pay request was submitted to the FAA. The total invoice is \$185,000 and there is \$106,369 available for reimbursement. If we were able to close the project out sometime in October the paperwork would get back in November. We would have to get the change order from Gradex and the work completed to close out the grant. There is approximately \$75,000 on hold until the reimbursement is received. Kapostasy stated the only option is to approve a partial payment of \$106,369.00 to Gradex invoice #5 and to inform the other invoicers that we will not be able to pay them until November. Silvey so moved. Tolson seconded. Motion carried unanimously.

Snyder stated they will hold Gradex invoice #6 (\$69,479.40) for retainage and Woolpert invoice (\$3,383.50) for environmental. Snyder requested approval of the Woolpert invoice in the amount of \$28,700 for the master drainage plan. This does not impact the \$106,000. Tolson so moved. Silvey seconded. Motion carried unanimously.

Runway Safety Area Construction

Snyder requested approval of Gradex Change Order #2 in the amount of \$21,099.26. This change order does not impact the \$10,401.00. The change order is to put rip-rap in the correct areas to maintain the airport. Silvey motioned to approve the change order. Tolson seconded. Motion carried unanimously.

Parallel Taxiway Design

Snyder stated Boone County has approved Rule 5, Stormwater Pollution Prevention Plan for the project. We have also received permit approval for the wetland mitigation and all of the proper paperwork has been submitted to the FAA.

Mike Evans stated Woolpert has received all permitting from IDEM to proceed with the Wetland Mitigation. The construction of the wetland will be located in a particular parcel in the appropriate watershed in Morgan County comes to \$51,600. These dollars do not impact the \$10,401.00. Evans stated we need the property owner and our attorney to resolve a contractual document that will allow us to present the information to the FAA so we can get reimbursement. The landowner drafted language that required payment prior to receipt of the funds, which we do not want to do. The landowner has agreed to review documentation prepared by our attorney that would allow for a mutual exchange. The landowner would take control of the property and responsibility for the wetland upon receipt of the funds but that he would not object to signing anything to allow it to proceed. Evans stated he has discussed this scenario with the FAA District Supervisor and they did not have any problem with it. Silvey asked what watershed is it? Evans stated it is Finley Creek. The airport is the dividing line between two watersheds.

**AIP-13**

Parallel Taxiway Construction

Snyder stated the total project amount, including all divisions, has been submitted to the FAA. Total project costs for AIP-13 with Divisions A and C is \$1.149 million. The total project with all divisions is \$1.9 million. If the discretionary funds come in for 2006, as anticipated, it would still require the Board would have to take their primary entitlement of \$150,000 for 2006 and \$150,000 for 2007 in order to cover the work in both divisions along with all of the other related costs. This does impact the non-primary entitlement for 2007. If they give us more money, we would be able to pull that back. There has been no indication as to what the amount would be but we anticipate receiving the

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information in the next couple of weeks. We anticipate making a formal recommendation based on the written grant to the FAA. Snyder stated they can recommend a bid award for all three divisions, pending receipt of FAA grant approval to Woolpert or they can call an emergency board meeting to award the bids. Creakbaum stated at minimum we need a motion to authorize a board member and legal staff to sign the grant, which has to be signed before September 1<sup>st</sup>. Kapostasy stated he is looking at authorization from the Board to accept any grant awarded in this cycle. In terms of approval of construction, approval should be made now contingent on funding in the order recommended by the engineer. Snyder stated if we can not award the divisions as they were set based on the bid amounts then they would come back to the Board to request modification of the contracts accordingly. Right now we are recommending approving them at the full amounts. Kapostasy stated assuming we had two contracts, one that can be fully funded and the second would receive partial funding we would not award that, in the interim you would come back to the Board with a recommendation at the next meeting? We would accept the grant from the FAA for whatever the amount of the grant is? Snyder stated correct. Silvey motioned to accept any and all grants from the FAA and that subject to financing and funding the award of bids for construction contracts based on the FAA grant amount. The award would be to the lowest responsive bidder as identified by the engineer. Moran seconded. Motion carried unanimously.

**Bid Award – Parallel Taxiway**

Division A – Grading

Snyder recommended the bid for Division A – Grading, be awarded to Poindexter in the amount of \$807,286.83. Tolson motioned to approve, subject to funding. Silvey seconded. Motion carried unanimously.

Division B – Paving

Snyder recommended the bid for Division B, Paving, be awarded to Shelly & Sands in the amount of \$680,711.00. Silvey motioned to approve, subject to funding. Moran seconded. Motion carried unanimously.

Division C – Electrical

Snyder recommended the bid for Division C, Electrical, be awarded to Michiana Contracting in the amount of \$192,043.77. Silvey motioned to approve, subject to funding. Tolson seconded. Motion carried unanimously.

**Airport Master Plan**

AIP-14

Snyder stated Maria Muia would like to attend next month's meeting to review the Master Plan. Snyder presented a written description and phase of the Master Plan process. Kapostasy asked if this could be deferred? The Board concurred. Snyder stated they need the AIP-14 grant application approved and signed. AIP-14 is in the amount of \$200,000 for Phase 2b and Phase 3 work. The Board can always come back for reimbursement of Phase 1 and Phase 2a in the amount of \$100,000 on a future grant request. The reason this was done was to insure this could be done with local money and get the Master Plan done in the earliest sequence and to get the last part of the plan done all in one piece. Tolson motioned to approve the filing of AIP-14 Grant Application. Silvey seconded. Motion carried unanimously.

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**Local Project**

Tee Hangar Taxiway & RCO

Snyder stated Hunt Paving has prepared two change orders based on the punch list.

- Tee Hangar Taxiway Change Order #1 – deduct of \$4,457.33 for a total of \$239,417.67
- Corporate Hangar Change Order #2 – increase of \$20,473.82 for a total of \$457,632.31.

Engineer's fees for additional testing and inspection are:

- Construction Testing Amendment – increase of \$13,544.51 for total of \$43,544.51.
- Resident Inspection Amendment – increase of \$20,569.00 for total of \$43,569.00.
- Woolpert Invoice for Resident/Testing Amendments - \$45,048.16.

Snyder stated they do not expect Changer Order 1 & 2 to be approved. Mike Howard would like to review the change orders first before we finalize with Hunt Paving.

Snyder requested approval of the Hunt Paving invoice in the amount of \$87,251.80 for work performed to date in accordance with the contract. This invoice does not include the change orders. Tolson motioned to approve. Silvey seconded. Rauch stated there is not enough money appropriated in that line item to pay this invoice. Rauch stated she needs to see a breakdown of the Corporate Apron invoices and Tee-Hangar invoices. Evans stated the Hunt invoices are broken down. They may have to tweak the Woolpert invoices in terms of residency and testing to break them down. Snyder stated Woolpert is also requesting payment of an invoice of \$45,048.16. The line item balance is \$80,000. Snyder asked if the Woolpert invoice be approved but not paid until funds became available? Internally Woolpert would like to show the invoice has been accepted and paid on the books. Kapostasy stated in total of the project are we overspent? Is this new information? Snyder stated Mike Howard has indicated to him that he already knows about it and he has a dollar amount budgeted. The Board will wait until Howard returns. Kapostasy stated he does not understand what the differences are and why we are overspent. Snyder stated they will provide Howard with the documents for his review prior to the next Board meeting. No action was taken.

**Legal Counsel Report**

Darren Murphy stated he had no Legal Counsel report. He will take back to Mike the Internet Domain Name and the Wetland Mitigation Agreement.

**Next Meeting**

Kapostasy asked if the Board would consider a pre-meeting for discussion of zoning powers of the Board. He would like to discuss what the steps would be for the Board in terms of zoning as well as discussions of the steps taken to what is the right thing to do in terms of the master plan. Kapostasy asked Murphy if their firm would consider consulting with aviation experts to make sure what we bring is exactly right. We are getting close to the point where we have to make a decision do we aggressively pursue this or do we consider and discuss it? It would be worth the Board's time, even if it required additional payment to outside legal counsel, to make sure we have full understanding to move forward. Moran asked if the Board is going to select the aviation legal firm? Kapostasy stated his recommendation would be to allow our legal counsel to choose whether they think it is necessary and if so engage them on their behalf. Beaver

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stated he would say it is more of a land use issue. Indiana statute has to do with land use and aviation is a part of it. You are not asking for aviation advice. Kapostasy stated he will leave it up to Counsel. Snyder stated Woolpert can make some recommendations to Howard on sister airports that have experienced the same thing in the past.

**Next Meeting** – September 7, 2006. Pre-meeting at 5:00 p.m. to discuss zoning.  
Regular meeting at 6:30 p.m.

Kapostasy adjourned the meeting.

**Present**

Tom Kapostasy, Commissioner  
Tim Tolson, Commissioner  
Don Silvey, Commissioner  
Ted Moran, Commissioner  
Darren Murphy, Legal Counsel  
Kim Rauch, Secretary  
Chris Snyder, Woolpert  
Mike Evans, Woolpert  
Larry Creakbaum, Woolpert  
Dan Montgomery, Montgomery Aviation  
Andrea Montgomery, Montgomery Aviation  
Carl Winkler, Montgomery Aviation  
Craig Cassity, Sullivan Corporation  
Mike Zeller  
Ramon VanSickle

**Approved:**

\_\_\_\_\_  
Tom Kapostasy, President

Date: \_\_\_\_\_

**Attest:**

\_\_\_\_\_  
Kim Rauch, Secretary

Date: \_\_\_\_\_